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ATTORNEYS FOR  
SCOTT M. SEIDEL, TRUSTEE

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:	§	
	§	Chapter 7
WITH PURPOSE, INC.,	§	
	§	Case No. 23-30246-mvl-7
Debtor.	§	

**AGREED MOTION FOR 2004 EXAMINATION OF AYERS PARTIES**

**NO HEARING WILL BE CONDUCTED HEREON, AND ANY HEARING SCHEDULED HEREON MAY BE CANCELLED WITHOUT FURTHER NOTICE, UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT, 1100 COMMERCE STREET, SUITE 1254, DALLAS, TEXAS 75242 BEFORE CLOSE OF BUSINESS ON DECEMBER 13, 2023, WHICH IS AT LEAST 21 DAYS FROM THE DATE OF SERVICE HEREOF.**

**ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.**

**IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN, AND THE HEARING SCHEDULED ON THIS MOTION MAY BE CANCELLED, WITHOUT FURTHER NOTICE.**

TO THE HONORABLE MICHELLE V. LARSON, U.S. BANKRUPTCY JUDGE:

COMES NOW Scott M. Seidel (the “Trustee”), the trustee in the above styled and numbered bankruptcy case (the “Bankruptcy Case”) of With Purpose, Inc. (the “Debtor”) in the above styled and numbered bankruptcy proceeding, and James Nicholas Ayers (“Ayers”), the J. Nicholas Ayers 2021 Irrevocable Trust (the “Ayers Trust”), Ayers Family Holdings (“AFH,” and together with the Ayers, and the Ayers Trust, the “Ayers Parties” and with the Trustee, the “Parties”) file this *Agreed Motion for 2004 Examination of Ayers Parties* (the “Motion”), respectfully stating as follows:

1. On February 8, 2023, the Debtor filed its voluntary petition for relief under chapter 7 of title 11 of the United States Code, thereby creating the debtor’s estate (the “Estate”). The Trustee is currently in the process of examining the assets and potential claims of the Estate.

2. Ayers was a member of the Debtor’s board prior to the Debtor’s bankruptcy. The Ayers Parties are parties-in-interest in the Bankruptcy Case.

3. The Trustee understands that there may exist communications and documents in Ayers Parties’ possession, custody, or control related to the Debtor which the Estate does not have. The Ayers Parties have agreed to produce documents and communications under Federal Rule of Bankruptcy Procedure 2004 pursuant to agreed-upon parameters as contained in the proposed order to the Motion.

4. The Ayers Parties have agreed to produce the documents on or before the later of December 15, 2023 or five (5) days after entry of the protective order which is the subject of docket no. 143 in the Bankruptcy Case.

WHEREFORE, PREMISES CONSIDERED, the Parties respectfully request that the Court enter an order permitting the Trustee’s requested examination pursuant to Federal Rule of

Bankruptcy Procedure 2004 in substantially the form of the proposed Agreed 2004 Order filed attached hereto.

RESPECTFULLY SUBMITTED this 22nd day of November, 2023.

**MUNSCH HARDT KOPF & HARR, P.C.**

By: /s/ Thomas Berghman

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-and-

**ROGGE DUNN GROUP, PC**

By: /s/ Chase Potter

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**ATTORNEYS FOR JAMES NICHOLAS  
AYERS, THE J. NICHOLAS AYERS  
2021 IRREVOCABLE TRUST, AND  
AYERS FAMILY HOLDINGS, LLC**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on the 22nd day of November, 2023 a true and correct copy of this document was served on all parties entitled to notice thereby via the Court's ECF notification system.

By: /s/ Thomas Berghman

Thomas D. Berghman